

## Union Calendar No. 95

114TH CONGRESS  
1ST SESSION

# H. R. 2051

[Report No. 114-132]

To amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2015

Mr. CONAWAY (for himself, Mr. PETERSON, and Mr. ROUZER) introduced the following bill; which was referred to the Committee on Agriculture

MAY 29, 2015

Additional sponsor: Mr. BLUM

MAY 29, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on April 28, 2015]

# **A BILL**

To amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE .**

4        *This Act may be cited as the “Mandatory Price Re-*  
5 *porting Act of 2015”.*

6 **SEC. 2. EXTENSION OF LIVESTOCK MANDATORY REPORT-**  
7 **ING.**

8        (a) *EXTENSION OF AUTHORITY.*—*Section 260 of the*  
9 *Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) is*  
10 *amended by striking “September 30, 2015” and inserting*  
11 *“September 30, 2020”.*

12        (b) *EMERGENCY AUTHORITY.*—*Section 212(12)(C) of*  
13 *the Agricultural Marketing Act of 1946 (7 U.S.C.*  
14 *1635a(12)(C)) is amended by inserting “, including any*  
15 *day on which any Department employee is on shutdown*  
16 *or emergency furlough as a result of a lapse in appropria-*  
17 *tions” after “conduct business”.*

18        (c) *CONFORMING AMENDMENT.*—*Section 942 of the*  
19 *Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635*  
20 *note; Public Law 106–78) is amended by striking “Sep-*  
21 *tember 30, 2015” and inserting “September 30, 2020”.*

22 **SEC. 3. SWINE REPORTING.**

23        (a) *DEFINITIONS.*—*Section 231 of the Agricultural*  
24 *Marketing Act of 1946 (7 U.S.C. 1635i) is amended—*

1           (1) by redesignating paragraphs (9) through (22)  
2           as paragraphs (10) through (23), respectively;

3           (2) by inserting after paragraph (8) the fol-  
4           lowing new paragraph:

5           “(9) *NEGOTIATED FORMULA PURCHASE.*—*The*  
6           *term ‘negotiated formula purchase’ means a purchase*  
7           *of swine by a packer from a producer under which—*

8                   “(A) *the pricing mechanism is a formula*  
9                   *price for which the formula is determined by ne-*  
10                   *gotiation on a lot-by-lot basis; and*

11                   “(B) *the swine are scheduled for delivery to*  
12                   *the packer not later than 14 days after the date*  
13                   *on which the formula is negotiated and swine*  
14                   *are committed to the packer.”;*

15           (3) in paragraph (12)(A) (as so redesignated),  
16           by inserting “*negotiated formula purchase,*” after  
17           “*pork market formula purchase,*”; and

18           (4) in paragraph (23) (as so redesignated)—

19                   (A) in subparagraph (C), by striking “*and*”  
20                   at the end;

21                   (B) by redesignating subparagraph (D) as  
22                   subparagraph (E); and

23                   (C) by inserting after subparagraph (C) the  
24                   following new subparagraph:

25                   “(D) *a negotiated formula purchase; and*”.

1           **(b) DAILY REPORTING.**—*Section 232(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is amended—*

2           *(1) in paragraph (1)(D), by striking clause (ii)*  
3           *and inserting the following new clause:*

4                           “(ii) **PRICE DISTRIBUTIONS.**—*The in-*  
5                           *formation published by the Secretary under*  
6                           *clause (i) shall include—*

7   “(I) *a distribution of net prices in*  
8   *the range between and including the*  
9   *lowest net price and the highest net*  
10    *price reported;*

11    “(II) *a delineation of the number*  
12    *of barrows and gilts at each reported*  
13    *price level or, at the option of the Sec-*  
14    *retary, the number of barrows and gilts*  
15    *within each of a series of reasonable*  
16    *price bands within the range of prices;*  
17    *and*

18    “(III) *the total number and*  
19    *weighted average price of barrows and*  
20    *gilts purchased through negotiated pur-*  
21    *chases and negotiated formula pur-*  
22    *chases.”; and*  
23  
24

1           (2) in paragraph (3), by adding at the end the  
2           *following new subparagraph:*

3                   “(C) *LATE IN THE DAY REPORT INFORMA-*  
4                   *TION.—The Secretary shall include in the morn-*  
5                   *ing report and the afternoon report for the fol-*  
6                   *lowing day any information required to be re-*  
7                   *ported under subparagraph (A) that is obtained*  
8                   *after the time of the reporting day specified in*  
9                   *such subparagraph.”.*

10 **SEC. 4. LAMB REPORTING.**

11           *Not later than 180 days after the date of the enactment*  
12 *of this Act, the Secretary of Agriculture shall revise section*  
13 *59.300 of title 7, Code of Federal Regulations, so that—*

14                   (1) *the definition of the term “importer”—*

15                           (A) *includes only those importers that im-*  
16 *ported an average of 1,000 metric tons of lamb*  
17 *meat products per year during the immediately*  
18 *preceding 4 calendar years; and*

19                           (B) *may include any person that does not*  
20 *meet the requirement referred to in subpara-*  
21 *graph (A), if the Secretary determines that the*  
22 *person should be considered an importer based*  
23 *on their volume of lamb imports; and*

24                   (2) *the definition of the term “packer”—*

1           (A) applies to any entity with 50 percent or  
2           more ownership in a facility;

3           (B) includes a federally inspected lamb  
4           processing plant which slaughtered or processed  
5           the equivalent of an average of 35,000 head of  
6           lambs per year during the immediately pre-  
7           ceding 5 calendar years; and

8           (C) may include any other lamb processing  
9           plant that did not meet the requirement referred  
10          to in subparagraph (B), if the Secretary deter-  
11          mines that the processing plant should be consid-  
12          ered a packer after considering its capacity.

13 **SEC. 5. STUDY ON LIVESTOCK MANDATORY REPORTING.**

14          (a) *IN GENERAL.*—The Secretary of Agriculture, act-  
15          ing through the Agricultural Marketing Service in conjunc-  
16          tion with the Office of the Chief Economist and in consulta-  
17          tion with cattle, swine, and lamb producers, packers, and  
18          other market participants, shall conduct a study on the pro-  
19          gram of information regarding the marketing of cattle,  
20          swine, lambs, and products of such livestock under subtitle  
21          B of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635  
22          et seq.). Such study shall—

23                 (1) analyze current marketing practices in the  
24                 cattle, swine, and lamb markets;

1           (2) *identify legislative or regulatory rec-*  
2 *ommendations made by cattle, swine, and lamb pro-*  
3 *ducers, packers, and other market participants to en-*  
4 *sure that information provided under such pro-*  
5 *gram—*

6                   (A) *can be readily understood by producers,*  
7 *packers, and other market participants;*

8                   (B) *reflects current marketing practices;*  
9 *and*

10                   (C) *is relevant and useful to producers,*  
11 *packers, and other market participants;*

12           (3) *analyze the price and supply information re-*  
13 *porting services of the Department of Agriculture re-*  
14 *lated to cattle, swine, and lamb; and*

15           (4) *address any other issues that the Secretary*  
16 *considers appropriate.*

17           (b) *REPORT.—Not later than January 1, 2020, the*  
18 *Secretary of Agriculture shall submit to the Committee on*  
19 *Agriculture of the House of Representatives and the Com-*  
20 *mittee on Agriculture, Nutrition, and Forestry of the Senate*  
21 *a report containing the findings of the study conducted*  
22 *under subsection (a).*





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